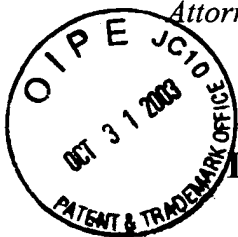


1651
ma02

Attorney's Docket No. S&P.33947

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the
Application of: HIROFUMI YURA ET AL.

Application No.: 09/937,510

Filing Date: 01/23/2002

Title: METHOD FOR
SELECTIVELY
SEPARATING BLOOD
CELLS BY USING LECTIN

Examiner: JEAN C. WITZ

Art Unit: 1651

RESPONSE TRANSMITTAL

The Assistant Commissioner for Patents
BOX NO FEE AMENDMENT
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is a Response to Restriction Requirement and Amendment for this application.

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as 1st Class Mail addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/28/03.

By: Gollen M. Gyzalate

The fee for claims has been calculated as shown below:

CLAIMS	FOR	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c))	10	- 20	= 0	x \$18.00 =	\$
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	1	- 3	=	x \$86.00 =	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				\$290.00	\$
	Total of Above Calculations =					\$ -0-
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).					
	TOTAL =					\$ -0-

_____ Applicant hereby claims small entity status under 37 C.F.R. § 1.27.

_____ A check is enclosed to cover the \$ fee for the presentation of additional claims.

 X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for an extension of time.

_____ Applicant hereby petitions for a:

_____ one month (37 C.F.R. § 1.17(a): \$110.00/\$55.00)
 _____ two month (37 C.F.R. § 1.17(b): \$420.00/\$210.00)
 _____ three month (37 C.F.R. § 1.17(c): \$950.00/\$475.00)
 _____ four month (37 C.F.R. § 1.17(d): \$1,480.00/\$740.00)
 _____ five month (37 C.F.R. § 1.17(d): \$2,010.00/\$1,005.00)

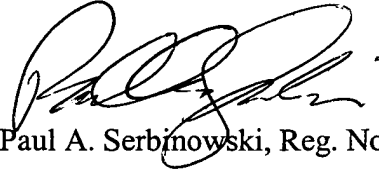
extension of time pursuant to 37 C.F.R. § 1.136(a). If an additional extension of time is required, please consider this a petition therefor.

_____ A check is enclosed to cover the \$ extension of time fee under 37 C.F.R. § 1.17.

_____ Charge Deposit Account No. 16-0820 (our Order No. S&P.33947) in the amount of \$.

X The Commissioner is hereby authorized to credit any overpayment or to charge any fees under 37 C.F.R. §§ 1.16, 1.17 in connection with this communication to our Deposit Account No. 16-0820 (our Order No.S&P.33947).

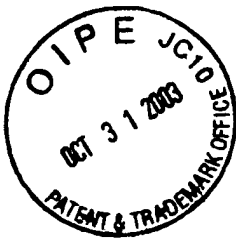
Respectfully submitted,



Paul A. Serbinowski, Reg. No. 34429

Date: October 28, 2003

PEARNE & GORDON LLP
Ohio Savings Plaza
1801 East 9th St.
Suite 1200
Cleveland, OH 44114
Phone: (216) 579-1700
Facsimile: (216) 579-6073



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Hirofumi Yura et al.

Serial No.: 09/937,510

Art Unit: 1651

Filed: 01/23/2002

Examiner: Jean C. Witz

For: METHOD FOR SELECTIVELY SEPARATING BLOOD CELLS BY USING
LECTIN

Docket No.: S&P.33947

PEARNE & GORDON LLP
Ohio Savings Building
12th Floor
1801 East 9th Street
Cleveland, OH 44114
Telephone: (216) 579-1700
Facsimile: (216) 579-6073
E-mail: ip@pearnegordon.com

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

Dear Sir:

In response to the Office Action mailed October 3, 2003, Applicants hereby provisionally elect with traverse to prosecute the invention of Group I, claims 1 and 6-9, directed to a method for selectively separating and recovering hematopoietic cells and/or erythroblasts from a blood sample.

Applicants also amend the application hereby. Amendments to the Claims begin on page 2. Remarks are on page 4.

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as first class mail addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the dated indicated below.

Date: 10/23/03

By: Jollen M. Yuzelale